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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,262	12/22/2003	Asko Lauri Antero Vetelainen	KOLS.079PA	4470

7590 11/03/2006  
Hollingsworth & Funk, LLC  
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EXAMINER

WEBER, CHRISTOPHER STEVEN

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/743,262

Applicant(s)

VETELAINEN, ASKO LAURI  
ANTERO

Examiner

Christopher S. Weber

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/18/2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi US 2002/0183117.

In regards to claim 1 and 4, Takahashi '117 discloses a method for initiating a multiplayer gaming session. Takahashi '117 discloses providing a gaming calendar item in a calendar application, Fig. 27 (275) and Fig. 30 (301). Takahashi '117 Paragraph [0071] discloses a server system for storing all game and game session related information. Takahashi '117 paragraph [0152] discloses displaying an alarm, a notification/invitation, when session is due, step S35. The invitation presents a query whether or not to play, Fig. 27 and paragraph [0160]. The inviter receives a reply, Fig. 17 S204. Takahashi '117 discloses in Fig. 17 step S42 and paragraph [0172] that a positive reply to the inquiry executes the game program. Takahashi '117 paragraph [0160] discloses receiving the calendar item.

In regards to claim 2, Takahashi '117 paragraph [0054] discloses the sending of an invitation that includes the game calendar item, Fig. 27 and Fig. 30.

In regards to claim 3, Takahashi '117 Figures 22, 27 and 30 disclose that the invitation has a game calendar aspect and additionally discloses information about the server such as the specific game "lobby" and "area".

Claims 5-8 are directed to a device of the method of claims 1-4, and claims 9-12 are directed to a computer program of the method of claims 1-4. Takahashi '117 teaches the method of claims 1-4. Therefore, Takahashi '117 teaches a device as set forth in claims 5-8 and a computer program as set forth in claims 9-12.

***Examiners Note***

Examiner has cited particular columns and line numbers, figures, and paragraph numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner

***Citation of pertinent prior art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jokipii US 2003/0190960. Jokipii '960 discloses administering online gaming leagues. Jokipii '960 teaches scheduling tournament times and alerting participating players when it is time to start. Jokipii anticipates claims 1-12 similar to the rejections

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above. Jokipii also discloses that the network could comprise any computing device such as a personal computer, PDA, telephone etc. and that the network may be wired or wireless.

Kim US 2002/0160838. Kim '838 discloses an instant messaging system and support for online gaming. Kim '838 discloses a player sending a message to an opponent and the on-line game executing automatically with an approval signal from the opponent.

Hardisty US 2004/0152517. Hardisty '517 discloses an internet based multiplayer game that determines user availability and uses a messaging system to set up matches.

Nguyen US 2005/0043088. Nguyen '088 discloses a tournament gaming system and method where a network tournament is scheduled, players are notified, and the tournament starts automatically with a positive reply from the player. Nguyen '088 also discloses that the network can be wired or wireless and can be composed of any type of computing device such as a stationary or portable console, casino game, or computer.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Weber whose telephone number is 571-272-3064. The examiner can normally be reached on Monday - Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John M. Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSW

  
JOHN M. HOTELLING, II  
PRIMARY EXAMINER